

**MINUTES**  
**CITY OF WARR ACRES**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY**  
March 17, 2009  
6:00 p.m.

1. The meeting was called to order by Chairman Tardibono at 6:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Rob Carter and the Invocation was given by Councilman Portwood.

**ROLL CALL**

**PRESENT**

**ABSENT**

Mayor Marietta Tardibono  
Vice-Mayor Phil Owens  
Councilman Dean Johnson  
Councilman David Dirkschneider  
Councilman Mike Gossman  
Councilwoman Cathy Maxey  
Councilman Doug Davis  
Councilwoman Nancy Olson  
Councilman Christian Portwood

**STAFF PRESENT**

Robert Jernigan, City Attorney  
Roger Patty, Police Chief  
Rob Carter, Fire Chief  
Mike Turman, Public Works Director  
Jenell Robertson, Asst. City Clerk

2. Call to the Public. None.

Mayor Tardibono reminded citizens of the runoff for Mayor on April 7, 2009 and the quarterly big trash pick up to be in April.

3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4).
  - A. Approval of the minutes from the Regular meeting of February 17, 2009 and Special meetings of February 23, 2009 and March 10, 2009.
  - B. Approval of Expenditures

General Fund	\$161,737.05
CIP Fund	\$ 6,555.78
  - C. Approval of Actual Expenditures for February, 2009 and Proposed Expenditures for March, 2009.
  - D. Sales Tax History Report.
  - E. Approval to sell bikes leftover from the last auction.

Motion by Councilman Johnson, seconded by Council Owens to approve Item B. Approval of Expenditures, C. Approval of Actual Expenditures for February, 2009 and Proposed Expenditures for March, 2009, and D. Sales Tax History Report. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

Motion by Councilman Owens, seconded by Councilman Johnson to approve Item A. Approval of the minutes from the Regular meeting of February 17, 2009 and Special meetings of February 23, 2009. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, abstain; Gossman, yes; Maxey, abstain; Davis, abstain; Portwood, yes; Olson, yes. Motion passed.

Motion by Council Owens, seconded by Councilman Portwood to approve the Minutes of the Special Meeting of March 10, 2009. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, abstain; Maxey, yes; Davis, abstain; Portwood, yes; Olson, yes. Motion passed.

Police Chief Patty asked for guidance with Item E. Approval to sell bikes leftover from the last auction. Councilpersons stated to sell the bikes for the best possible price.

Motion by Councilman Dirkschneider, seconded by Councilman Maxey to sell the bicycles for the best possible price. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

4. Discussion and possible action on items removed from the consent docket.  
See above.
5. Receive reports from Staff: Police, Fire, City Clerk, City Attorney, City Inspector/Public Works Director, City Engineer and City Planner.

Chief Patty stated that as part of the economic assistance grants, the Police Dept. will be applying for \$34,186.00 (for which the City will put up approx. 10% match). Chief Patty will bring information back to the Council reference needing one new unmarked police car and possibly buying the car with this money.

Fire Chief Carter stated Engine 25 is back in service. He also stated 6 new mattresses were purchased.

Mayor Tardibono stated City Clerk, Pam Ramirez, was in school this week.

Public Works Director, Mike Turman, discussed the big trash, the new hotel, the new Golden Corral, Putnam City elem. school, El Polo Chulo, new renovation on N. W. 38<sup>th</sup> Street, and stated he was currently reviewing bills for repairs to Sanitation trucks and learning the process of repairs.

City Engineer, Scott Barrett, discussed storm water reports, flow measuring for the Grove lift station and the interceptor sewer line, and smoke testing to be done 3-18-09 (north of N. W. 50<sup>th</sup> between MacArthur and Grove). He also stated that the ARRA Program will provide funding to the City for approximately \$280,000.00, in which the money had to meet certain requirements on how this money was to be spent.

6. Discussion and possible action to review the bids received for the 63<sup>rd</sup> & Grove Signalization project and possible award of the contract per the recommendation of the City Engineer to Traffic Signals, Inc. in the amount of \$86,715.35. Appropriation of funds from the CIP Fund.

Scott Barrett stated it was his recommendation to award the contract for the 63<sup>rd</sup> & Grove Signalization project to Traffic Signals, Inc. in the amount of \$86,715.35.

Motion by Councilman Johnson, seconded by Councilwoman Olson to award the contract for the 63<sup>rd</sup> & Grove Signalization project to Traffic Signals, Inc. in the amount of \$86,715.35 and to approve appropriation of funds from the CIP Fund. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

7. A. Discussion and possible action to review the amended rehabilitation of The Pines Dam contract and authorize the appropriate officers to execute the agreement.

B. Discussion and possible action to review the bids received for The Pines Dam Sewer Project, which includes the rehabilitation of two manholes at Covington Lane, and possible award of the contract per the recommendation of the City Engineer to Cimarron Construction in the amount of \$97,315.00. Appropriation of funds from the Sewer Maintenance Fund.

Attorney Bob Jernigan stated the homeowners association were having a meeting tonight and Mr. Jernigan stated there may have to be a special meeting in order to get the contract finalized, as he thought there may be changes.

Scott Barrett suggested that if the City does not think this project will be started within the next 30 days, then the City needs to go ahead and solicit costs (Urban or Kraft Reynolds) in order to get some of the work completed. Bob Jernigan will advise the outcome from the homeowners association meeting as soon as he hears something.

No action taken at this time.

8. Discussion and possible action to authorize City Engineer and the City Planner to begin the application process to obtain Community Development Block Grant Funding for the 33<sup>rd</sup> & Hammond Storm Water Detention Project.

Scott Barrett took this item off of the agenda until further notice.

9. Discussion and possible action on the recycling program and expanding the availability of recycling to the citizens of Warr Acres.

Councilman Owens stated he felt the need for more recycling. Councilman Owens stated there needed to be more volunteers to help with the recycling. Jan Blake stated there were volunteers for one Saturday per month but would have to ask the volunteers if they could be there other times. The City is not currently paid for recycling from the recycler but could be in the future.

No action taken.

10. Discussion and possible action on having an audit done on the Utility services of the City.

Councilman Owens stated he felt that Mike Crawford needed to be contacted to talk about providing an audit to find out exactly what it costs the City to provide garbage service. He felt that the rates that were being charged needed to be based upon what it costs the City to provide the garbage service.

No action taken at this time. Put on next agenda.

11. Discussion and possible action on awarding the bid on the phone system and appropriation of funds from CIP.

Darryl Goodman gave a quick overview of the bids received. Darryl stated Nobel System would use the NEC Phone System, with a 7 year warranty. The bid amount was for \$17,912.00 with a 14 day turn-around.

Motion by Councilman Gossman, seconded by Councilman Davis to award the bid on the phone system to Nobel. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

Motion by Councilman Portwood, seconded by Councilman Johnson to award the bid for the phone system (to Nobel) not to exceed \$18,000.00 and funds to be appropriated from CIP. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

12. Discussion and possible action on approving the job description for Mechanic, prepared by Doug Henley and approval to advertise to hire a Mechanic.

Discussion among Councilpersons that the job description needed to have additional information regarding the mechanic to have his own tools, must have a CDL drivers license and must be a certified diesel mechanic. Councilman Johnson stated he felt this needed to be looked into during the budget process and don't hire someone now.

Motion by Councilman Johnson to approve the job description for a mechanic with the change that the mechanic needed to have his own tools. Motion died for lack of second.

Discussion among Councilpersons to have Public Works Director, Mike Turman, to look into this matter further and get with Doug Henley with corrections. This item to be brought back before Council at a later meeting.

No action taken at this time.

13. Discussion and possible action on the re-appointment of Dan Gilbert, Ward II; Anita Weaver, Ward IV; and Darryl McDaniels, At-Large to the Traffic Commission. Terms to expire March 2012.

Motion by Chairman Tardibono, seconded by Councilman Gossman to re-appoint Dan Gilbert, Ward II; Anita Weaver, Ward IV; and Darryl McDaniels, At-Large to the Traffic Commission. Terms to expire March 2012. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

14. Discussion and possible action on authorizing Doug Henley to re-evaluate the Henley Pay Plan and approve and implement the amended Henley Pay Plan. Expenses for re-evaluation not to exceed \$2,000.

Mayor Tardibono stated Mr. Henley had put a lot of time into this project. She also stated that had the Henley Pay Plan been implemented at the proper time, the Council would not have to continue having this item come back to them. Mayor Tardibono stated that had the plan been implemented from the beginning, everyone would have been in their correct class and raises or non-raises would have been given at the preferred time.

Motion by Councilman Gossman, seconded by Councilman Johnson to authorize Doug Henley to re-evaluate the Henley Pay Plan and approve and implement the amended Henley Pay Plan. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

15. Discussion and possible action on raises for the Non-Contract employees based on the average percentage that was given to the Contract employees and adjusted to fit into the Henley Pay Plan and appropriation of funds to cover said raises from the rainy day fund.

Mayor Tardibono pulled item as it is a moot point. No action taken.

16. Discussion and possible action on appropriation of \$35,800 from the un-appropriated funds in the General Fund for a Building Inspector.

Mayor Tardibono pulled item from agenda.

17. Discussion and possible action on a Resolution adopting a new Personnel Manual as prepared by Doug Henley.

Mayor Tardibono stated the preliminary print of the handbook was given to the city and it is being reviewed by the City Clerk, Asst. City Clerk and City Attorney. She stated as soon as the handbook is reviewed and revised, it will be back to the Council next month for approval.

Motion by Councilman Gossman, seconded by Councilman Owens to get the book revised/changes made and continue this item to the next regular City Council meeting. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

18. Discussion and possible action on a Resolution recognizing National Telecommunicator's Week.

Motion by Councilwoman Olson, seconded by Councilman Johnson to approve the Resolution recognizing National Telecommunicator's Week. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

19. Questions and comments from Councilmembers.

Councilman Davis – welcomed new Councilmembers

Councilwoman Maxey – none

Councilman Portwood – thanked persons who voted for him and thanked Garry Stephens for running a good race

Councilwoman Olson – none

Councilman Johnson – stated they needed more volunteers for recycling and needed help watering trees and flowers – call him

Councilman Owens – stated the City needed to (according to State Statute) have the agenda posted on the website

Councilman Dirkschneider – thanked Ward 4 voters

Councilman Gossman – asked if there were not people to help Pam (ie putting agenda on the web, etc.) - Mayor Tardibono said she told Pam she would have to delegate some of her duties.

Mayor Tardibono – happy to serve with new Council

20. Any Old or New Business (“New Business is defined by the Open Meeting Act as any matter not known about or which could not have been reasonable foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

None.

21. Adjournment.

Motion by Councilman Johnson, seconded by Councilman Portwood to adjourn this meeting of the Warr Acres City Council. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

Meeting adjourned at 7:27 p.m.

Respectfully Submitted,

Jenell Robertson  
Asst. City Clerk/Payroll

**MINUTES**  
**CITY OF WARR ACRES**  
**PUBLIC WORKS AUTHORITY MEETING**  
**TUESDAY**  
**MARCH 17, 2009**  
**6:00 P.M.**

(Following completion of regularly scheduled City Council meeting)

1. Call to order, Declaration of a quorum.

Mayor Tardibono called the meeting to order at 7:27 p.m. and declared a quorum.

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of February 17, 2009.

Motion by Councilman Owens, seconded by Councilman Gossman to approve the minutes of the Warr Acres Public Works Authority meeting of Feb. 17, 2009. . Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, abstain; Gossman, yes; Maxey, abstain; Davis, yes; Portwood, abstain; Olson, yes. Motion passed.

3. Approve payment of claim in the amount of \$62,454.56 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of February, 2009.

Motion by Councilman Owens, seconded by Councilwoman Olson to approve payment of claim in the amount of \$62,454.56 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of February, 2009. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

4. Approval of payment of claims for the Sewer Department.

Motion by Councilman Gossman, seconded by Councilwoman Olson to approve payment of claims for the Sewer Dept. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

5. Adjournment.

Motion by Councilman Owens, seconded by Councilman Portwood to adjourn this meeting of the Warr Acres Public Works Authority. Poll vote: Tardibono, yes; Johnson, yes; Owens, yes; Dirkschneider, yes; Gossman, yes; Maxey, yes; Davis, yes; Portwood, yes; Olson, yes. Motion passed unanimously.

Meeting adjourned at 7:28 p.m.

Respectfully Submitted,

Jenell Robertson  
Asst. City Clerk/Payroll